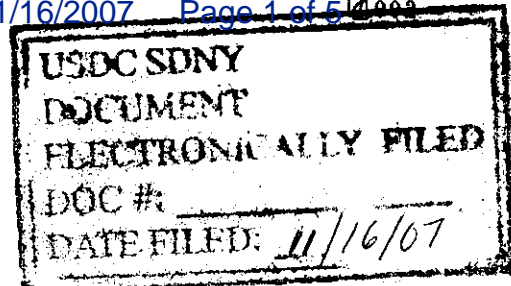
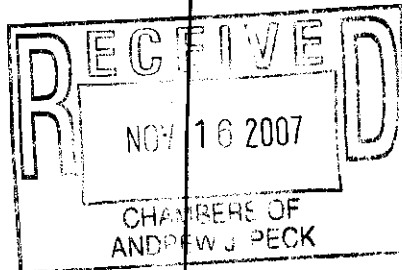


Jane Best-Simpson  
430 Clinton Avenue # 6D  
Brooklyn, New York 11238  
(718) 857-3023



November 16, 2007

**BY FAX – (212) 805-7933**

Hon. Andrew Peck USMJ  
United States District Court for the  
Southern District of New York  
500 Pearl Street (Room 1370)  
New York, New York 10007

**BY FAX – (212) 805-6191 (Courtesy Copy)**

Hon. Barbara S. Jones USDJ  
United States District Court for the  
Southern District of New York  
500 Pearl Street (Room 620)  
New York, New York 10007

**BY FAX- (212) 788-1633 (Courtesy Copy)**

Office of the Corporation Counsel – Mr. Will Miller/Eric Proshansky, Esq.  
Attorneys for the New York City Commission on Human Rights, Patricia Gatlin, Lanny  
Alexander, Cliff Mulqueen and Raymond Wayne - Individually and in their Official  
Capacities

**BY FAX- (212) 967-4965 (Courtesy Copy)**

Gosseen, Gallagher, Faller and Crowley – Mr. Seth Berman, Esq. & Mr. Robert Gosseen,  
Esq.  
Attorneys for the NYODN, Elaine Berg, Michelle Clayton Lucas, Martin Woolf and Julia  
Rivera – Individually and in their official capacities, Robert Gosseen and Gosseen,  
Gallagher, Faller and Crowley

**Re: Jane Best-Simpson v. New York Organ Donor Network, ET. AL**

**Index no. : 07 CV 2683 (BSJ) – Adjournment of November 20, 2007 Conference and  
temporary stay on all proceedings until December 2007 – due to an immediate health crisis requiring  
medical attention (5 pages in total)**

Dear Honorable Magistrate Justice Peck:

The Plaintiff Jane Best-Simpson, appearing Pro Se, under the penalties of perjury  
do hereby affirm the following to be true: On November 8, 2007, I contacted the Court  
and spoke to Ms. Blake to advise the your Honor that I had been taken via ambulance  
from my home on November 6, 2007, in the midst of completing the "revised" initial  
disclosure (see attached confidential medical document for judge's review only).

**MEMO ENDORSED 11/16/07**

Request DENIED. IF Ms Best-Simpson  
cannot provide any letter, she should  
bring to court and about drawing it  
without prejudice. I will follow on  
behalf of the court. If you want to  
conclude a lawsuit, she is able.  
I will not delay, get by it. I will  
in court. I will continue to  
assist with all my at 11/16/07.  
Ms Best-Simpson must attend.

ORDERED:  
Hon. Andrew J. Peck  
United States District Court  
Magistrate Judge  
CJF/Emil  
M. Latent  
Gant  
Adm Jms

**BY FAX**

Page 2 / Nov 16, 2007 / Magistrate Peck /

I explained to her that I was now under heavy medication and advised to immediately discontinue the work that I was doing, until I could seek independent medical examination and consultation.

Ms. Blake advised me that your Honor had just left for a conference and would not return until on or about November 14, 2007, so nothing could be done until thereafter. I advised Ms. Blake that I would need an adjournment of all matters before the court, but was unable to advise the parties or the Court at this time of the amount of time that I would need.

Further, I advise Ms. Blake that I was attempting to draft a letter to the Court and the parties to request an extension of time based on the above unanticipated circumstances and attempt to immediately secure the medical examinations, treatment and consultation I needed.

My disability limitations have become particularly acute at this moment. In spite of the fact that I have tried to move ahead with this matter, with limited requests for adjournments, I have nonetheless neglected the clear and obvious health complications that are progressively worsening daily.

The day to day toll of my personal involvement in this case since April 19, 2004 to the present date without the assistance of counsel and my current stress level has had a deleterious effect on my health and has disrupted my daily ability to function. This case has consumed my entire life, and absorbed most of my days and nights. For over three and a half years, the prosecution of this case has substantially robbed me of the quality of life that I once enjoyed and knew. Working on this case has tapped all of my energy to the point that it does not allow me to concentrate effectively on other life matters of critical concern and importance.

The current health meltdown last week and the serious admonishment of doctors has forced me to admit to this Court and the respective parties that my health is now in a very fragile state that requires immediate attention and scheduling adjustments.

I must take an immediate inventory and a thorough examination of my health, in order for me to continue to prosecute this action effectively. While justice could not come fast enough for me (I want my good name and reputation back and the cloud of the shame and humiliation of being terminated for the first time in my life at the age of 43 years old removed); I recognize that I need to stabilize my health to some degree in order to be able to see this matter to resolution.

Simply writing this letter has caused me extreme depression, agony, anxiety distress and frustration, as it has taken me days of revision in an effort to simply organize my thoughts sufficiently. I tried to go back and complete the revisions of the initial disclosure before your Honor returned on November 14, 2007, but it could simply not be done.

Page 3 / Nov 16, 2007 / Magistrate Peck /

As of lately, I have been experiencing an increased myriad of symptoms that became severe enough to seek emergency treatment. I have been suffering cognitive dysfunction including severe bouts of brain fog where I go for days where I cannot write or organize my thoughts, blinding headaches, anxiety with irritable bowel syndrome, extreme sleep disturbance, bouts of despair and fatigue, post traumatic stress (I relive the trauma of this matter and the grave injustice perpetrated against me each time I am caused to handle matters associated with this case, to the point that I go into bouts of crying uncontrollably and agonizing despair). All of the above health challenges have left me with a deep sense of depression as a result thereof.

I have already began to seek medical treatment and schedule a battery of tests and examinations that I have delayed since September 2007, in order to prosecute this action. The tests and examinations by multiple doctors will run its course weekly through December 12, 2007 where I will also have an understanding of my current health status.

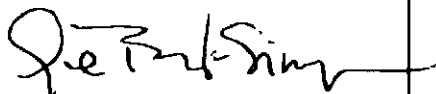
I would therefore request a temporary stay for the next month on all matters and an adjournment of all proceedings (revision of the initial discovery, submission of expert witnesses report and responding to defendant's discovery requests, depositions, etc.).

Further, since I am in no position to medically move forward or make any sound competent decisions, until I know my health status, and what will be required of me to stabilize such (including possibly seeking inpatient treatment) I would respectfully request that the Magistrate adjourn the next scheduled conference of November 20, 2007 (I have diagnostic tests schedule for that day) until December 13, 2007 at 10:30am or 2:00pm, or some time immediately thereafter.

At that time I will be able to present to the Court medical evidence, which will advise on my current health crisis, so that the Court can determine what adjustments should be made, with respect to scheduling all matters before the Court.

Should the Court require a letter from a treating physician supporting my need for the requested month stay or adjournment in view of the above stated, please note that I have several medical appointments also scheduled on Wednesday November 21, 2007 (with two of my treating physicians) and can submit such to the Court by Wednesday evening or Friday morning after thanksgiving if required.

Respectfully submitted,



Jane Best-Simpson

**BY FACSIMILE**

From: Jane Best-Simpson (Plaintiff- Pro-Se)

Date: November 16, 2007

Re: Jane Best-Simpson v. New York Organ Donor Network, ET. AL.  
Index no. : 07 CV 2683 (BSJ) (AJP)

To: The Parties Named Below:

Number of Pages including this fax cover sheet (5) for the Court/(4) for Counsel

Upon the Penalties of Perjury I Jane Best- Simpson do hereby state that I did deliver the following attached letter dated November 16, 2007 by Fax to Magistrate Judge Peck, courtesy copy to Honorable Judge Barbara S. Jones, Mr. Seth Berman, Esq./Mr. Robert Gosseen, Esq. and Mr. Will Miller/Eric Proshansky, Esq.:

1) BY FAX - (212) 805-7933 *Honorable Magistrate Judge Andrew J. Peck* - United States Southern District Court House

2) BY FAX - (212) 805-6191 *Honorable Judge Barbara S. Jones* - United States Southern District of New York Court House

3) BY FAX - (212) 967-4965 - *Mr. Seth Berman, Esq., and Mr. Robert Gosseen Esq.* - Law Firm of Gallagher, Gosseen, Faller and Crowley - Attorneys Representing the New York Organ Donor Network, Elaine Berg, Michele Clayton Lucas, Martin Woolf, Julia Rivera all in their official and individual capacities and Defendants Robert Gosseen and Gallagher, Gosseen, Faller and Crowley

4) BY FAX (212) 788-1633 - *Mr. Will Miller/Eric Proshansky, Esq.* - Office of the Corporation Counsel and attorneys for the New York City Commission on Human Rights - Patricia Gatlin, Raymond Wayne, Lanny Alexander and Cliff Mulqueen Attorney(s) all in their individual and official capacities

  
Jane Best-Simpson

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933  
Telephone No.: (212) 805-0036

**Dated:** November 16, 2007

**Total Number of Pages:** 5

TO	FAX NUMBER
Robert I. Gosseen, Esq. Seth W. Berman, Esq.	516-742-2516
Eric Proshansky, Esq.	212-788-1633

## **TRANSCRIPTION:**

**MEMO ENDORSED 11/16/07**

Request **DENIED**. If Ms. Best-Simpson cannot proceed with the case, she should talk to defense counsel about dismissit it without prejudice and tolling any limitations periods, etc., so that she can commence a new case when she is able. The attached doctor's note has no restrictions on activity. The Court will discuss the matter with all parties at the 11/20 conference. Ms. Best-Simpson must attend.

**Copies to:** Ms. Jane-Best Simpson (Email)  
Judge Barbara S. Jones